PATENT APPLICATION

New Attorney Docket No. LYTLE 22-15-20

Prior Application: Lytle 9-8-4
Serial No.: 09/454003
Filing Date: 12/3/1999
Group Art Unit: 2815
Examiner: Warren

New Attorney Docket Number: Lytle 22-15-20

**ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D. C. 20231**

CONTINUATION/DIVISIONAL APPLICATION UNDER 37 CFR § 1.53(b)

SIR:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b) of prior Application Serial No. _09/454003_ filed on _December 3, 1999_ entitled _Define Via In Dual Damascene Process_.

Enclosed are the following papers relating to the above-identified application:

1. ☒ Specification (Total Pages: _12_)

2. ☒ Drawings (Total Sheets: ___7___)

3. ☒ Copy of "Declaration and Power of Attorney" from prior application (Total Pages: _3_)

4. ☐ Newly executed "Declaration and Power of Attorney" (if **adding** inventors) (Total Pages: ____)

5. ☐ Newly executed "Assignment and Agreement" (if **adding** inventors) (Total Pages: _____)

6. ☐ Incorporation By Reference
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached (under 37 CFR § 1.63(d)(2)) deleting inventor(s) named in the prior application

8. ☒ Information Disclosure Statement(s)

9. ☐ **Copy** of "Extension of Time"

10. ☒ Other:
Revocation of Power of attorney; Agreement Regarding Power of Attorney; Statement Under 37 CFR 3.73(b); Patent Assignment w Appendix A

11. ☒ Cancel the following original claims in the prior application before calculating the filing fee: ___**15-23**___

PT 17A (10/00)

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELLED AT No. 11 ABOVE				
	NO. FILED	NO. EXTRA	RATE	CALCULATIONS
Total Claims	14-20 =	0	x $18 =	0
Independent Claims	3- 3 =	0	x $84 =	0
0Multiple Dependent Claims(s), if applicable			+ $280 =	0
Basic Fee				$750
			TOTAL FEE	$750

12. ☒ Amend the specification by inserting before the first line this sentence:

This is a ☐ continuation ☒ divisional of Application Serial No. _____*09/454003*_____, filed on *December 3, 1999*.

13. ☐ Preliminary Amendment

14. Amendment Fee:

    ☒ No additional fee is required.

    ☐ An additional amendment fee is calculated as follows:

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid For (from above)	Present Extra	Rate	Additional Fee
Total Claims for Fee Purposes		minus			x $18	
Independent Claims		minus			x $84	
Multiple Dependent Claim(s) first presented with this amendment, if applicable.					+ $280	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:						

15. Please charge the total amount of $ _750.00_ to **Agere Systems Deposit Account No. 50-1735.**

Duplicate copies of this letter are enclosed. In the event of non-payment of improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-1735** as required to correct the error.

The Assistant Commissioner for Patents is hereby authorized to treat any concurrent or future reply, requiring a petition for extension of time under 37 CFR § 1.136 for its timely submission, as incorporating a petition for extension of time for the appropriate length of time if not submitted with the reply.

Please address all correspondence to **Docket Administrator Agere Systems Inc., 4 Connell Drive, Room 4u533C, Berkeley Heights, NJ 07922-2747.** However, telephone calls should be made to me at (407) 371-3250.

Respectfully,

Ferdinand M. Romano
Attorney for Applicant(s), Reg. No.32752

Date: 24 June 2003

Docket Administrator
Agere Systems Inc.
4 Connell Drive, Room 4U533C
Berkeley Heights, NJ 07922-0614